

**STRAFFORD
METROPOLITAN PLANNING
ORGANIZATION
BYLAWS**



ADOPTED: September 27, 2007

AMENDED: May 29, 2008

AMENDED: January 28, 2010

AMENDED: November 18, 2010

AMENDED: September 21, 2021

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STRAFFORD METROPOLITAN PLANNING ORGANIZATION BYLAWS

Adopted: September 27, 2007

Revisions Adopted: May 29, 2008

Revisions Adopted: January 28, 2010

Revisions Recommended: September 28, 2010

Revisions Adopted: November 18, 2010

ARTICLE I: ORGANIZATION

A. NAME:

The name of this organization shall be the Strafford Metropolitan Planning Organization (SMPO) and shall hereafter be referred to as the SMPO. The SMPO consists of the Strafford Regional Planning Commission (SRPC) and those appropriate State and local agencies necessary to approve transportation plans and programs.

B. AUTHORIZATION:

The authorization for this Organization is set forth in an Executive Order dated August 10, 2007, whereby SRPC was designated as the cognizant Metropolitan Planning Organization for the New Hampshire portion of the Rochester-Dover Urbanized area, pursuant to the Federal Highway Act of 1964.

C. STRAFFORD METROPOLITAN PLANNING ORGANIZATION AREA:

The following communities constitute the SMPO area: Barrington, Brookfield, Dover, Durham, Farmington, Lee, Madbury, Middleton, Milton, New Durham, Newmarket, Northwood, Nottingham, Rochester, Rollinsford, Somersworth, Strafford and Wakefield.

1. Urbanized Communities include: Dover, Durham, Madbury, Newmarket, Rochester, Rollinsford and Somersworth.
2. Non-Urbanized Communities include: Barrington, Brookfield, Farmington, Lee, Middleton, Milton, New Durham, Northwood, Nottingham, Strafford and Wakefield.

D. PRINCIPAL OFFICE:

The principal office of the SMPO is located at SRPC Office at 150 Wakefield Street, Suite 12, Rochester, NH 03867 Office Hours: 8:30 am to 5:00 pm. Monday-Friday, Telephone: (603) 994-3500 Fax: (603) 994-3504

Email: SRPC@strafford.org; Website: www.strafford.org.

E. ORGANIZATIONAL STRUCTURE:

The SMPO fiscal year shall be July 1st through June 30th. The organization shall consist of three (3) committees: (1) The SRPC/SMPO Executive Committee, (2) The SMPO Policy Committee and (3) The SMPO Technical Advisory Committee. Additional committees and subcommittees shall be formed as deemed necessary.

F. PURPOSE:

The purpose of these bylaws is to inform the public of the nature of the SMPO’s business, operations, delegation of authority, internal organization and other related matters. Additionally, the intent is to provide procedures and policies for the SMPO and to insure the accomplishment of the planning tasks within a cooperative framework properly related to comprehensive planning on a continual basis.

ARTICLE II: POLICY COMMITTEE

A. NAME:

The Policy Committee shall hereafter be referred to as the “Policy Committee”.

B. PURPOSE:

The purpose of the Policy Committee shall be to provide a forum for the development of regional transportation policies for the SMPO and to act as a vehicle to coordinate the implementation of these policies.

C. RESPONSIBILITIES:

1. The Policy Committee is responsible for carrying out the metropolitan transportation planning process as required by the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFTEA-LU) and related federal implementing regulations. This responsibility is carried out through oversight of the Unified Planning Work Program (UPWP) and through the development, review and approval of the Prospectus, the Metropolitan Transportation Plan, the Transportation Improvement Program (TIP), and the Air Quality Conformity Determination. SMPO activities related to these responsibilities include, but are not limited to the following:
 - (a) Establish the policy directions of the SMPO through its adopted plans and policy statements.
 - (b) Establish procedures and requirements whereby federal transportation funds will be allocated and made available in cooperation with the New Hampshire Department of Transportation (NHDOT).
 - (c) Adopt, review and/or revise the Unified Planning Work Program (UPWP), Prospectus, Metropolitan Transportation Plan, TIP and Conformity Determination.
 - (d) Review and comment on individual projects, programs, plans and reports relative to the adopted transportation policies and positions.

- (e) Request, review and endorse technical reports and studies prepared by the SMPO staff or consultants.
- (f) Ensure compliance with the provisions of the Clean Air Act Amendment (CAAA) of 1990 through periodic conformity evaluation and a determination.
- (g) Adopt, review and/or revise policies relative to the findings of the Technical Advisory Committee (TAC), including technical reports and memoranda.
- (h) Provide a mechanism to facilitate and broaden public involvement in transportation planning and decision-making processes.
- (i) Coordinate and prioritize transportation projects to be implemented with Federal and/or State assistance.
- (j) Monitor and participate in transportation policy making activities with the NHDOT and the transportation or other relevant committees of the New Hampshire General Court.
- (k) Collaborate in the development of public transit and multi-modal plans.

D. MEMBERSHIP:

1. Voting Members:

- (a) Each dues paid member community within SRPC will be represented by their appointed regional planning commissioners. Each commissioner shall have one vote. Communities are entitled to appoint as many voting representatives as permitted per RSA 36:46, III.

Barrington (2)	Madbury (2)	Nottingham (2)
Brookfield (2)	Middleton (2)	Rochester (4)

Dover (4)	Milton (2)	Rollinsford (2)
Durham (3)	New Durham (2)	Somersworth (3)
Farmington (2)	Newmarket (2)	Strafford (2)
Lee (2)	Northwood (2)	Wakefield (2)

- (b) Communities that have not paid annual dues to SRPC shall have one representative, and one alternate, equal to one vote.
- (c) There shall be one voting member or designee from each of the following agencies:
 - i. New Hampshire Department of Transportation (NHDOT)
 - ii. New Hampshire Department of Environmental Services-Air Resources Division (NHDES-ARD)
 - iii. Cooperative Alliance for Strafford Regional Transportation (COAST)
 - iv. University of New Hampshire (UNH)

The appointing authority is permitted and encouraged to designate one alternate for each appointed representative. An alternate shall have voting privileges in the absence of the voting representative.

2. Non-Voting Members:

- (a) Each of the following may appoint a non-voting member:
 - i. Federal Highway Administration (FHWA)
 - ii. Federal Transit Administration (FTA)
 - iii. New Hampshire Department of Transportation-Bureau of Aeronautics (NHDOT-Aeronautics)
 - iv. New Hampshire Department of Transportation – Bureau of Rails and Transit (NHDOT-BRT)

 - v. New Hampshire Office of Energy and Planning (NHOEP)
 - vi. Rockingham Planning Commission (RPC)
 - vii. Southern Maine Regional Planning Commission (SMRPC)
 - viii. Maine Department of Transportation (Maine-DOT)
 - ix. New Hampshire Transit Association (NHTA)
 - x. Federal Railroad Administration (FRA)
 - xi. Pease Development Authority/New Hampshire Port Authority (PDA/NHPA)

The appointing authority is permitted and encouraged to designate one (1) alternate for each appointed representative.

- (b) The Committee may authorize additional non-voting members.

3. Quorum:

- (a) A quorum of the Policy Committee shall be deemed as representing no less than one-third (1/3) rounded plus one of the dues paid municipalities with appointed Commissioner(s) and voting agencies per (1) (C). Current state law [91:A] requires a quorum to be physically present at meetings of public bodies under nonemergency situations.
- (b) For the purposes of a quorum, one (1) appointed representative per municipality or voting agency present at the meeting would be counted.
- (c) Motions shall be carried by a simple majority of the voting power present after having established a quorum. In the case of hybrid meetings¹, an in-person quorum is required, however additional Commissioners may attend, participate and vote remotely. For the duration of each hybrid meeting motions must take place via roll call voting.

5. Terms and Re-Appointment:

- (a) The appointment of municipal representatives shall be in compliance with RSA 36:46, Paragraph III. Appointments to the Policy Committee shall run with the Commissioner's terms.

¹ For the purpose of the SRPC Bylaws a hybrid meeting is defined as a meeting having an option to attend both in-person and virtually.

- (b) In the event that a Policy Committee member resigns, notification of their resignation shall be filed with SRPC and the appointing body. The municipality or voting agency shall receive a notice from SRPC so that a new appointment can be made.

E. OFFICERS:

1. Election of Officers

The Officers of SRPC will function as the Officers of the Policy Committee per the SRPC bylaws. Vacancies in office shall be filled immediately by the regular election procedure described in the SRPC bylaws.

2. Positions:

- (a) The Chairperson shall preside at all meetings and shall have the power to call special meetings, establish agendas, establish and appoint committees and their members.
- (b) The Vice-Chairperson, if the Chairperson is unable to attend the meeting, shall be acting Chairperson and shall have the same powers granted to the Chairperson.
- (c) The Secretary/Treasurer, if the Chairperson or Vice-Chairperson is unable to attend the meeting, shall be acting Chairperson and shall have the same powers granted to the Chairperson. The Secretary/Treasurer shall be responsible for such financial duties as are customary to the office.

F. MEETINGS:

The Policy Committee meetings are held on the third Friday of every month immediately after the SRPC Executive Committee meeting at the SRPC office and at the call of the Chairperson.

ARTICLE III: EXECUTIVE COMMITTEE

A. NAME:

The SRPC Executive Committee shall hereafter be referred to as the EC.

B. PURPOSE:

The purpose of the EC shall be to facilitate the administration of the SMPO, ensure that TAC policy and planning recommendations are brought before the Policy Committee, and ensure that the decisions of the Policy Committee are implemented.

C. RESPONSIBILITIES:

The duties of the EC will include, but not be limited to the following:

- 1. Ensure that the directives of the SMPO voting membership are carried out.

2. Oversee the affairs of the SMPO between its regular meetings and to act on behalf of the Policy Committee in emergencies. An emergency is defined as an action necessary to carry out the responsibilities of the SMPO, when waiting for a regular Policy Committee meeting would jeopardize the SMPO's ability to carry out its responsibilities.
3. Determine, with the assistance of the Executive Director and the TAC, the UPWP scope and content, and to transmit it to the Policy Committee for final approval. Recommend the biennial UPWP scope of work and budget to the Policy Committee for approval.
4. Oversee the operating expenditures of the SMPO as recommended by the Executive Director.
5. Provide a report of its activities and/or minutes prior to Policy Committee meeting.

D. MEMBERSHIP:

The members of the EC shall consist of seven (7) members: Chairperson, Vice-Chairperson, Secretary/Treasurer, and four (4) members elected at the SRPC Annual Meeting. The EC shall include representation from both large and small communities.

E. OFFICERS:

Officers of SMPO serve on the EC in accordance with their respective terms of office. The At-Large Members of the EC shall be elected each year for a one (1) year term commencing after July 1st of that year.

1. Election of Officers:

The SMPO officers shall consist of a Chairperson, Vice-Chairperson and a Secretary/Treasurer per SRPC bylaws. Each officer shall serve a one (1) year term based on annual elections at the Annual Meeting. Vacancies in office shall be filled immediately by the regular election procedure found in the SRPC bylaws.

2. Positions:

- (a) The Chairperson shall preside at all meetings and shall have the power to call special meetings, establish agendas, establish and appoint committees and their members.
- (b) The Vice-Chairperson, if the Chairperson is unable to attend the meeting, shall be acting Chairperson and shall have the same powers granted to the Chairperson.
- (c) The Secretary/Treasurer, if the Chairperson and Vice-Chairperson are unable to attend the meeting, shall be acting Chairperson and shall have the same powers granted to the Chairperson. The Secretary/Treasurer shall be responsible for such financial duties as are customary to the office.

3. Vacancy:

In the event of an officer vacancy between annual elections, the EC shall elect an At-Large Member of the EC to serve until the next Annual meeting. The EC shall fill at-large member vacancies from the Commission. Such appointments shall expire at the end of the fiscal year.

F. MEETINGS:

- 1 The EC meetings are held on the third Friday of every month at 8:00 am at the SRPC Office. Special meetings can be called at the request of the Chairperson or the Executive Director. Notices of EC meetings shall be noticed on website and at the SRPC office.
- 2 **Quorum:** The voting power of the EC shall consist of a total of seven (7) votes. A majority of the voting power (4) shall constitute a quorum for the transaction of business at meetings. For regular business, voting is limited to appointed Executive Committee officers and members, including alternates replacing appointed members. Current state law [91:A] requires a quorum to be physically present at meetings of public bodies under nonemergency situations.

In the case of hybrid meetings², an in-person quorum is still required, however additional Commissioners may attend, participate and vote remotely. For the duration of each hybrid meeting motions must take place via roll call voting.

ARTICLE IV: TECHNICAL ADVISORY COMMITTEE

A. NAME:

The SMPO Technical Advisory Committee shall hereafter be referred to as the “Technical Advisory Committee”.

B. PURPOSE:

The purpose of the Technical Advisory Committee (TAC) is to provide the SMPO with technical assistance and recommendations concerning transportation issues that have a bearing on the SMPO’s continued, comprehensive, and coordinated transportation planning process. The TAC is hereby established as a standing committee of the SMPO.

C. RESPONSIBILITY:

The TAC will review and make recommendations to the SMPO Policy Committee on transportation planning efforts in the SMPO area as follows:

- 1 Updates, revisions and amendments to the Metropolitan Transportation Plan to assure that recommended activities identified in the Metropolitan Transportation Plan are considered in the development of the annual work plan, Transportation Improvement Plan, air conformity determination, and other required documents of the SMPO.
2. Development of a comprehensive public transportation system in the region by understanding the necessary components as well as developing funding models and indicators of success.
3. Policy recommendations related to the public transportation systems.
4. Contents of the biennial Transportation Improvement Plan (TIP) update.

² For the purpose of the SRPC Bylaws a hybrid meeting is defined as a meeting having an option to attend both in-person and virtually.

5. Technical planning/engineering studies to be considered in the Unified Planning Work Program (UPWP).
6. Scoping reports and planning studies.
7. Development and implementation of the Public Participation Plan.
8. Guidance to UPWP and TIP related to issues or projects that arise from the long term planning.
9. Development of and coordination of project and issues that are of regional significance and or require the perspective that spans communities.
10. Any other activities as requested by the SMPO Policy Committee.

The TAC, without SMPO Policy Committee approval, may:

1. Evaluate and prioritize technical assistance for the SMPO members.
2. Review and suggest revisions to staff and consultant technical assistance work.
3. Establish subcommittee(s) to address significant areas of interest

D. MEMBERSHIP:

The TAC shall include representative from the SMPO communities, federal, state and interested agencies.

1. Voting Members:
 - (a) There shall be one (1) voting member or designee from each of the following: (The appointing authority is permitted and encouraged to designate one (1) alternate for each appointed representative. An alternate shall have voting privileges in the absence of the voting representative).
 - i. Each SRPC community represented on the SMPO
 - ii. NH Department of Transportation (NHDOT), District 6, or District 3
 - iii. NH Department of Environmental Services – Air Resources Division (NHDES-ARD)
 - iv. Cooperative Alliance for Strafford Regional Transportation (COAST)
 - v. University of New Hampshire (UNH)
2. Non-voting member:
 - (a) Each of the following may appoint a non-voting member: (The appointing authority is permitted and encouraged to designate one (1) alternate for each appointed representative).
 - i. Federal Highway Administration (FHWA)
 - ii. Federal Transit Administration (FTA)
 - iii. New Hampshire Department of Transportation – District 6
 - iv. New Hampshire Department of Transportation – District 3
 - v. New Hampshire Department of Transportation – Bureau of Aeronautics
 - vi. New Hampshire Department of Transportation- Bureau of Rails and Transit
 - vii. Southern Maine Regional Planning Commission (SMRPC)
 - viii. Rockingham Planning Commission (RPC)
 - ix. Maine Department of Transportation (Maine-DOT)
 - x. Pease Development Authority (PDA)/New Hampshire Port Authority (NHPA)
 - xi. Guilford Railroad or Pan Am Railways
 - xii. Federal Railroad Administration (FRA)

- xiii. Northern New England Passenger Rail Authority (NNEPRA)
- xiv. New Hampshire Transit Association (NHTA)
- xv. Transportation Center or Park and Ride Terminal Operator
- xvi. Alliance for Community Transportation (ACT)
- xvii. Strafford Regional Area Bicycle Routes (SABR)
- xviii. Bike-Walk Alliance of New Hampshire (BWANH)
- xix. New Hampshire Motor Transport Association
- xx. Seacoast Commuter Options
- xxi. C&J Trailways

(b) The Committee may authorize additional non-voting members.

3. Quorum:

- (a) A quorum of the TAC shall be deemed as representing no less than one-third (1/3) rounded plus one of the municipal membership and voting agencies who have made appointments. Current state law [91:A] requires a quorum to be physically present at meetings of public bodies under nonemergency situations.
- (b) Motions shall be carried by a simple majority of the voting power present after having established a quorum. In the case of hybrid meetings³, an in-person quorum is required, however additional Commissioners may attend, participate and vote remotely. For the duration of each hybrid meeting motions must take place via roll call voting.

4. Vacancy:

In the event that a Committee member resigns, notification of their resignation shall be filed with SRPC and the appointing body. The municipality or voting agency shall receive a notice from SRPC so that a new appointment can be made.

5. Terms and Re-Appointment:

The appointment of each representative shall be a period of two years. Appointments shall be certified in writing by the appointment authority prior to the start of the fiscal year (July 1st).

E. OFFICERS:

1. Election of Officers:

At the first Committee meeting after the start of the fiscal year, the election of officers will take place. The TAC Officers shall consist of a Chairperson and Vice-Chairperson. Nominations for Chairperson and Vice-Chairperson shall be made from the floor and can include only voting members. The Chairperson will serve a one (1) year term. Vice-Chairperson will take over the role of Chairperson after the one (1) year term. Vacancies in office shall be filled immediately by the regular election procedure.

2. Positions:

³ For the purpose of the SRPC Bylaws a hybrid meeting is defined as a meeting having an option to attend both in-person and virtually.

- a) As a qualification for office, the Chairperson shall have served at least one (1) year as a representative on the SMPO. The Chairperson shall preside at all
- b) meetings and shall have the power to call special meetings, establish agendas, establish and appoint committees and their members.
- c) The Vice-Chairperson, if the Chairperson is unable to attend the meeting, shall be acting Chairperson and shall have the same powers granted to the Chairperson.

F. MEETINGS:

The MPO TAC meetings are held monthly on the first Friday of the month at 9AM and at the call of the Chairperson. Meetings are held in the SRPC office.

ARTICLE V: STRAFFORD METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION STAFF

A. EXECUTIVE DIRECTOR:

The Executive Director shall:

- 1. Be responsible to the SMPO Committees for carrying out directives.
- 2. Carry out all aspects of the regional transportation planning program.
- 3. Manage contracts with consultants for the purpose of implementing the adopted UPWP.
- 4. Recommend changes to the Bylaws and Prospectus.
- 5. Be responsible for the administration of the office.
- 6. Hire and manage staff.
- 7. Be in charge of all general correspondence of the SMPO.
- 8. Be responsible for receiving all moneys due the SMPO.
- 9. Assist the Recording Clerk, and in this manner be responsible for:
 - (a) Keeping minutes of regular and special meetings of the SMPO.
 - (b) Notifying members of their election to office or appointment to committees.
- 10. Prepare an annual budget to be reviewed by the EC prior to submission for approval at the Annual Meeting of Commission.
- 11. Prepare a biennial UPWP to be reviewed by the EC prior to submission for approval by the Policy Committee.
- 12. Disburse the funds in accordance with the budget and as authorized.
- 13. Keep accounts, which shall at all times be open to inspection.
- 14. Undertake such other duties as the SMPO shall assign.
- 15. Maintain files of job descriptions and responsibilities for additional staff.

B. STAFF MEMBERS:

- 1. Staff shall be responsible for having the TAC develop and review documents, amendments, and reports in a timely fashion.
- 2. Staff shall be responsible for providing all recommendations to the SMPO Policy Committee through the Executive Director with a written record of recommendations by the TAC, and/or a formal recommendation signed by the TAC Chairperson.
- 3. Undertake such other duties as the SMPO may assign.

C. RECORDING CLERK:

The Recording Clerk shall keep the minutes and records, preparing the agenda of regular and special meetings, provide the notice of all meetings, arrange proper and legal notice of hearings, attend to correspondence, and such other duties as are normally carried out by a recording clerk.

Notice of Meetings: Committee meeting information and materials shall be posted at least five days prior to the meeting.

ARTICLE VI: GENERAL

General Policies shall apply to all committees and participants of the SMPO.

A. REMOVAL:

Members and alternates shall serve at the pleasure of their respective legislative bodies and may be removed during their term by their respective legislative bodies.

B. MAILINGS:

Members will be sent meeting notification, agendas, and appropriate documents via e-mail or mail one (1) week prior to the actual meeting date, except in the case of special meetings.

C. ORDER OF BUSINESS:

1. The normal order of business at regularly scheduled meetings of the Committee shall be as follows:
 - (a) Call to order
 - (b) Introductions
 - (c) Staff Communications
 - (d) Action Items
 - (e) Discussion Items
 - (f) Project Updates
 - (g) Other Business
 - (h) Adjournment

2. The normal order of business may be changed at the discretion of the Chairperson.

D. SPECIAL MEETINGS:

Special meetings may be called by the Chairperson or by a majority of the Committee.

E. VOTING:

Voting shall be by voice vote; however, upon the request of at least one (1) voting member, voting shall be by roll call. In the case of hybrid meetings⁴, an in-person quorum is still required, however additional Executive Committee members may attend, participate and vote remotely. For the duration of each hybrid meeting motions must take place via roll call voting. In the event of a tie vote, the motion before the Committee shall fail.

F. PUBLIC INVOLVEMENT:

In order to maintain a comprehensive, coordinated, and continuing transportation planning process, and to ensure that the concerns of area citizens are addressed throughout all projects, programs, plans, and reports developed by the SMPO, the SMPO may use, but is not limited to the following procedures:

1. Establish advisory committees as appropriate, to include such functions as goals and objectives, environmental impact, intergovernmental relations, office relocation, network planning, etc.
2. Use the news media, public access cable channels, and Internet to provide public informational programs, which are conducted to ensure that citizens are well informed about opportunities and problems in the planning areas and regarding the status of planning.
3. Use informal working sessions with citizens representing geographic areas and inclusive facets of the community for an exchange of views regarding planning programs.
4. Conduct public hearings at which plans, programs, policies, and proposals are presented for public input.
5. Conduct all regular and special Committee meetings in accordance with the provisions of New Hampshire Revised Statutes Annotated, Chapter 91-A.
6. Maintain a database of interested citizens or other private entities.
7. Fulfill all requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFTEA-LU) as required by the Joint Federal
8. Highway Administration and the Federal Transit Administration Planning Rule – 23 CFR Part 450.316 (b) (1 & 2) regarding the public involvement process when carrying out the activities of the SMPO.
9. All published data and/or reports shall be made available to public and agencies.

ARTICLE VII: REPEALER

Any other conflicting resolution adopted prior to the date of the adoption of these Bylaws is hereby repealed.

ARTICLE VIII: AMENDMENTS

⁴ For the purpose of the SRPC Bylaws a hybrid meeting is defined as a meeting having an option to attend both in-person and virtually.

Revisions Adopted 09/21/2021

- A. Any section herein contained may be amended by resolution of the voting representatives of the Policy Committee at any legally constituted and noticed meeting provided the following:
 - 1. The proposed amendment is presented in writing to the Policy Committee representatives at least thirty (30) days prior to the date of the meeting at which they are to be enacted;
 - 2. The resolution adopting the amendment passes by an affirmative vote of at least two-thirds (2/3) of the members present and voting.
- B. These bylaws shall be revised, updated, or amended as the circumstance dictates.
- C. Bylaw amendments shall become effective upon passage.

SMPO Policy Chairperson

Date

SMPO Policy Vice-Chairperson

Date

SMPO Policy Secretary/Treasurer

Date